

REMARKS

Claims 3-18 are pending.

In the office action, claims 7-9, 12, and 16 were objected to as being allegedly substantially duplicates of claims 3, 11, and 15.

It is respectfully submitted that the objection to claims 7-9, 12, and 16 is improper, since each claim further limits a preceding claim with additional elements, steps, and features not found in the preceding claim. It is particularly noted that each of claims 7, 12, and 16 includes the recitation "further comprising" to indicate that the recitation of these claims are in addition to the preceding independent claims 3, 11, and 15 from which each of claims 7, 12, and 16 depend, respectively.

For example, claim 7 recites the steps of inputting, searching, and outputting as recited in independent claim 3, from which claim 7 depends. Claim 7 further recites the additional step of accessing an Internet-based website using the first URL address associated with the matching brand name.

It is unreasonable to maintain that one skilled in the art would consider accessing an Internet-based website to be equal to, equivalent to, or substantially duplicative of any of the steps of inputting, searching, and outputting as recited in claim 3 and also recited in claim 7. The recited steps of inputting, searching, and outputting do not necessarily involve accessing an Internet-based website. In addition, one skilled in the art would recognize that accessing an Internet-based website may be performed independent of and separate from the steps of inputting, searching, and outputting.

The foregoing discussion of claim 7 applies as well to the objections to claims 8-9, 12, and 16.

Furthermore, there is no discussion in the office action as to how exactly one could reasonably consider the elements, steps, and features of the dependent claims 7-9, 12, and 16 to be substantially duplicative of the different elements, steps, and features of the independent claims 3, 11, and 15, respectively. There is no discussion in the office action of, for example, how the step of accessing in claim 7 is allegedly “a substantially duplicate” of any of the steps of claim 3.

Therefore, reconsideration and withdrawal of the objection are respectfully requested.

In the office action, claims 6, 14, and 18 are rejected under 35 U.S.C. § 112, first paragraph, for allegedly not complying with the enablement requirement regarding an “interactive television”.

It is respectfully submitted that the application as originally filed supports the recitation of “interactive television” in claims 6, 14, and 18.

One skilled in the art would recognize that online devices are “interactive televisions”; that is, devices for viewing images conveyed over distances with interaction involving the user to control the viewing of images. Computers are “interactive televisions”.

In addition, paragraphs [0004] and [0005] of the application as originally filed clearly states that “a customer accesses or is delivered a web page with her computer or other online devise [sic], as described in paragraph [0004], and “a customer accesses or is delivered a web page with her computer or other online devise [sic], as described in paragraph [0005].

Such descriptions of the use of a computer or other online devices clearly recite the use of televisions; that is, devices for viewing images conveyed over distances, and such descriptions also clearly recite the use of interaction with the user to access webpages using the computer or online device, or to be delivered a web page via the computer or online device.

Furthermore, based on the original disclosure, paragraph [0050] was added which recites: ‘The online device 12 may be a computer and/or an interactive television’, which is supported on page 14, lines 2-3 of the application as originally filed. In addition, based on the original disclosure, paragraph [0051] was added which recites: ‘The method 28 may be performed using the online device 12 which includes a computer and/or an interactive television’, which is supported on page 14, lines 2-3 of the application as originally filed.

Since the original disclosure of the present application clearly describes interactive use of computers which are televisions, the recitation of ‘interactive television’ in claims 6, 14, and 18 is indeed fully supported and enabling of the present invention involving ‘interactive television’.

Accordingly, reconsideration and withdrawal of the rejection of claims 6, 14, and 18 under 35 U.S.C. § 112, first paragraph are respectfully requested.

In the office action, claims 3-5, 7-13, and 15-17 were rejected under 35 U.S.C. § 102(b) in view of U.S. Patent Number 5,950,173 to Perkowski; and claims 6, 14, and 18 were rejected under 35 U.S.C. § 103(a) in view of U.S. Patent Number 5,950,173 to Perkowski and Official Notice.

It is respectfully submitted that the present invention is patentable over U.S. Patent Number 5,950,173 to Perkowski. First, in the Perkowski system, a brand company must register and pay to be a part of the Perkowski system, as describe in the abstract of Perkowski. Second, in the Perkowski system, the data entered about each brand name is associated with a UPC number.

Perkowski does not disclose or suggest a device for first inputting a user-selected brand name, or a step of first inputting a user-selected brand name, respectively, and Perkowski also does not disclose or suggest outputting a first URL which provides information about a product corresponding to the inputted user-selected brand name, as in the present invention.

On the contrary, Perkowski specifically teaches away from the present invention, since Perkowski relies on a UPN, USN, UPC, or EAN data to access data such as brand names, trademarks, company names, and/or URLs.

Perkowski specifically states that, in one embodiment, the Perkowski system has the user first inputting product information via a UPN, USN, or EAN, and then outputting trademarks or company names associated with products having the UPN, USN, or EAN.

That is, Perkowski does the exact opposite of the claimed invention, by having product data and/or UPN, USN, UPC, or EAN data in the form of bar codes inputted by the user of the Perkowski system using a scanner, and only then retrieving trademark or company name information.

Perkowski clearly shows scanning devices in FIGS. 3A1 and 3A2, in which products are scanned for their UPN, USN, UPC, or EAN at a "multi-media kiosk" having bar code readers 23 (Perkowski, column 17, lines 26-47). Perkowski has the bar code reader 23 for scanning the bar code encoding or corresponding to the UPN, USN, UPC, or EAN. Perkowski further describes bar code symbol readers elsewhere in the specification and drawings.

Accordingly, Perkowski teaches away from the present invention recited in the current claims 3-18, in which the user inputs a user-selected brand name, such as a trademark or company name, to receive a URL as the output.

In another embodiment, Perkowski further describes using a website with a webpage shown in FIG. 3C with icons 21A and 21B for entering an IPI Finder mode or a UPS Search mode, respectively. The operation of such modes are described in conjunction with FIGS. 6A and 6B, respectively, and the corresponding discussion of such features and drawings elsewhere in Perkowski.

Referring to FIG. 6A of Perkowski, the IPI Finder Mode has the client input a UPN_i and output a registered URL_i in box A of FIG. 6A, as opposed to a user inputting a brand name to output a URL, as in the claimed invention.

In particular, column 22, lines 33-39 of Perkowski states that “a UPN (e.g. UPC number) is provided as input to IPD Server S_b , and in response thereto the Client System C_a requests the IPD Server S_b to provide each registered URL_i stored in the IPI Registrant Database” (emphasis added). Accordingly, Perkowski specifically teaches away from the claimed invention in which brand names are provided as input and corresponding URLs are output.

Referring to FIG. 6B of Perkowski, the UPN Search Mode uses UPNs to search for and output a registered URL_i in box A of FIG. 6A, as opposed to a user inputting a brand name to output a URL, as in the claimed invention. That is, the UPN Search Mode of Perkowski must first find a UPN or UPC, if any are available, in order to output a corresponding URL.

In particular, column 23, lines 10-15 of Perkowski states that, in UPN Search Mode, “at Block A of FIG. 6B, a trademark TM_i and/or a company name CN_i is provided as input to IPD Server S_b by way of the browser display screen. Then in response thereto, the Client System C_a requests the IPD Server S_b to provide each registered UPN_i stored in the IPI Registrant Database.” (emphasis added).

It should be noted that, in the UPN Search Mode of Perkowski, only if there is a registered UPN stored in the IPI Registrant Database and symbolically linked to a corresponding URL which matches an input brand name, then any associated URLs are output, since Perkowski, at column 23, lines 14-15, states that once a matching UPN_i is provided by the IPD Server S_b , if available, 'then also its URL_i to the Client Computer System [is provided]'

Similarly, FIGS. 8A and 8B of Perkowski describe IPI Finder Modes and IPN (sic) Search Modes which require either input of a UPN to find and output a URL, as in FIG. 8A, or searching for a UPN and then outputting a corresponding URL, as in FIG. 8B.

Referring to FIG. 8A of Perkowski, the IPI Finder Mode has the client input a UPN_i and output a registered URL_i in box A of FIG. 8A, as opposed to a user inputting a brand name to output a URL, as in the claimed invention.

In particular, column 23, lines 52-55 of Perkowski states that 'a UPN is provided as input to IPD Server S_b , and in response thereto the Client System C_a requests the IPD Server S_b to provide each registered URL_i stored in the IPI Registrant Database' (emphasis added). Accordingly, Perkowski specifically teaches away from the claimed invention in which brand names are provided as input and corresponding URLs are output.

Referring to FIG. 8B of Perkowski, the UPN Search Mode (referred to as 'IPN Search Mode' in FIG. 8B but 'UPN Search Mode' in the description) uses UPNs to search for and output a registered URL_i in box A of FIG. 8A, as opposed to a user inputting a brand name to output a URL, as in the claimed invention. That is, the UPN Search Mode of Perkowski must first find a UPN or UPC, if any are available, in order to output a corresponding URL.

In particular, at column 24, lines 24-31 of Perkowski states that, in UPN Search Mode, “at Block A of FIG. 8B, a trademark TM_i and/or a company name CN_i is provided as input to IPD Server S_b by way of the browser display screen. In response thereto, the Client System C_a requests the IPD Server S_b to determine whether or not a registered UPN_i (and thus symbolically linked URL_i) is stored in the IPI Registrant Database.” (emphasis added).

It should be noted that, in both descriptions of the UPN Search Mode of Perkowski in connection with FIGS. 6B and 8B, only if there is a registered UPN stored in the IPI Registrant Database and symbolically linked to a corresponding URL which matches an input brand name, then any associated URLs are output, since Perkowski states that once a matching UPN_i is provided by the IPD Server S_b, if available, “then also its URL_i to the Client Computer System [is provided]”.

Since Perkowski teaches the searching for and outputting UPNs matching a brand name, Perkowski specifically teaches away from the claimed invention in which brand names are provided as input, matched to brand names in a database, and corresponding URLs are output.

One having ordinary skill in the art would recognize that not every brand name associated with trademarks and company names has a UPN or a UPC. For example, airplane tickets and insurance services are typically provided with brand names, trademarks, and company names, but insurance services are not physical products, and airline tickets and insurance policies do not have UPNs or UPCs.

On the contrary, Perkowski is directed to a system used by “manufacturers as well as their advertisers and agents in registering the UPNs (e.g. UPC numbers) of their products and the URLs of the information resources related to such products” (Perkowski, column 5, lines 62-67). There is no disclosure or suggestion in Perkowski that URLs are searchable without UPNs, as in the claimed invention.

One skilled in the art would also not look to Perkowski for the claimed invention, since the Perkowski system involves scanned-in UPN and UPC numbers from which brand names and company information is retrieved, and one skilled in the art would not look to input UPN, UPC, and related coded and bar-coded data as being equivalent to or comparable to a brand name inputted by the user, as in the claimed invention.

In addition, one skilled in the art would not look to Perkowski and its embodiments regarding the UPN Search Mode described in FIG. 6B and the corresponding disclosure for the claimed invention, since Perkowski first requires searching matching UPNs before proceeding to output any corresponding URLs, while the claimed invention only searches for matching brand names to output any corresponding URLs.

Moreover, Perkowski clearly intends “UPC numbers” to be distinct and separate from “trademarks and tradenames”, since Perkowski indicates that the system of Perkowski stores different information in different fields: “an IPN Information Field for storing information (e.g. numeric or alphanumeric string) representative of the Universal Product Number. .[and] a Trademark Information Filed for storing information (e.g. numeric or alphanumeric string) representative of each trademark (or Domain Name)”. Perkowski also further distinguishes the UPC number from trademarks by having separate information storage fields.

One skilled in the art would recognize that the present invention is not obvious in view of Perkowski, since Perkowski requires an additional step on the part of the client who must input the UPN and pay to do so along with any other data or content which the client wishes to include. With the present invention, the content of the client starts with the client's URL which the client does not have to input or pay for with the present invention. The client may only be required to pay if a user clicks on the link of the client.

Accordingly, with the present invention, the owner of a business, as a client of the system of the present invention, takes on the responsibility of getting the business off the ground and fully running as opposed to being dependent on numerous others to agree to do something before the business is fully functioning. For example, if the system of the present invention and the system of Perkowski each want to obtain the same 5,000 brand companies on their respective websites or portals, it is easier to implement the system of the present invention.

On the contrary, the implementer of the Perkowski must be able to convince that same number of 5,000 brand companies to sign up with the Perkowski system, to pay the fee, and then to enter all their product numbers. Therefore, one having ordinary skill in the art would recognize that the Perkowski system is disadvantageous and less desirable to use than the present invention to involve a multitude of brand companies such as 5,000 brand companies.

Even if such an implementer of the Perkowski system came close to obtaining 5,000 brand companies to each sign up, pay a fee, and enter all their product numbers, there is less likelihood that all of such 5,000 brand companies would complete the registration process by paying an extra fee and by taking upon themselves to enter all their product numbers, and therefore resulting in the Perkowski system being incomplete with regard to such brand companies, and thus a less complete experience for the end-user who would not be able to search for information for a non-registering brand company.

However, the present invention takes into consideration such aspects of human behavior in that it is easier to have one person or small team perform the tasks of entering brand company data than to try to get 5,000 brand companies to individually perform the task of entering their brand company data into a separate registration and payment system as in Perkowski.

The operational methodologies of the present invention compared to Perkowski are completely different, as describe in Perkowski in which the UPN Search Mode of Perkowski can be performed only if there is a registered UPN stored in the IPI Registrant Database and symbolically linked to a corresponding URL which matches an input brand name, if available. If the registered UPN data is not available, the Perkowski system will be unable to search for brand names and brand companies.

In addition, one having ordinary skill in the art would recognize the differences in implementation, functionality, and ideological basis of the present invention and of Perkowski, since the underlying manner and process of implementing the present invention to put it into operation is completely different than the underlying manner and process of implementing the Perkowski system.

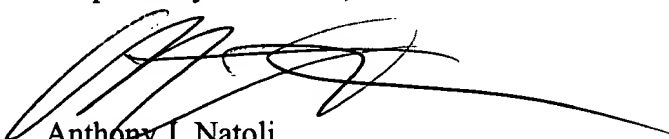
The Office Notice in connection with television embodiments does not cure the deficiencies of Perkowski in that Perkowski cannot search for URLs without first searching for UPNs associated with brand names, while the present invention searches for URLs directly by searching brand names.

Therefore, claims 3-18 are patentable over U.S. Patent Number 5,950,173 to Perkowski and/or the Official Notice, individually or in combination, so reconsideration and withdrawal of the rejection of claims 3-18 are respectfully requested.

Accordingly, entry and approval of the present request for reconsideration, and allowance of all pending claims are respectfully requested.

In case of any deficiencies in fees by the filing of the present request for reconsideration, the Commissioner is hereby authorized to charge such deficiencies in fees to Deposit Account Number 01-0035.

Respectfully submitted,



Anthony J. Natoli
Registration number 36,223
Attorney for applicant

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ABELMAN, FRAYNE & SCHWAB
666 Third Ave., 10th Floor
New York, NY 10017-5621